

1F 3737

AMENDMENT TRANSMITTAL LETTER

Attorney Docket No. ZKTZ 2 00014



|  |  |                      |
|--|--|----------------------|
| Serial No.:<br>09/978,599                        | Filing Date:<br>October 16, 2001                               | Examiner:<br>W. JUNG |
| Group Art Unit:<br>3737<br>Confirmation:<br>5128 | Invention:<br><b>DIGITAL MINIMALLY INVASIVE SURGERY SYSTEM</b> |                      |

To the Commissioner For Patents:

Transmitted herewith is an **AMENDMENT D** in the above-identified application. The fee has been calculated as shown below.

| CLAIMS AS AMENDED |                                  |       |                                    |                             |       |                 |
|-------------------|----------------------------------|-------|------------------------------------|-----------------------------|-------|-----------------|
|                   | Claims remaining after amendment |       | Highest Number Previously Paid For | No. of Extra Claims Present | Rate  | Additional Rate |
| Total Claims      | 39                               | Minus | 39                                 | -                           | \$ 25 | \$ 0.00         |
| Indep. Claims     | 12                               | Minus | 12                                 | -                           | \$100 | \$ 0.00         |

- ☒ No additional claims fee is required.
- ☒ Please charge any additional fees or credit overpayment to Deposit Account No. 06-0308. A duplicate copy of this sheet is enclosed.
- ☒ Applicants hereby request any additional extensions of time that may be necessary and authorize the extension of time fee to be charged to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

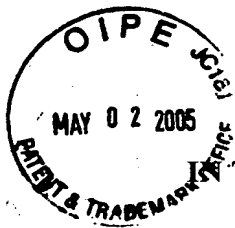
Date: 28 Apr 2005

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CERTIFICATE OF MAILING

I hereby certify that these **AMENDMENT TRANSMITTAL LETTER (x2) and AMENDMENT D** in connection with U.S. Patent Application Serial No. 09/978,599 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 28 day of April, 2005.

By: Hilary McNulty



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of  
R. ABOVITZ, et al.

Serial No.: 09/978,599

Filed: October 16, 2001

For: **DIGITAL MINIMALLY  
INVASIVE SURGERY  
SYSTEM**

Date of Last Office Action:  
January 31, 2005

Attorney Docket No.:  
ZKTZ 2 00014 US

) Examiner: W. JUNG

) Art Unit: 3737

) Confirmation: 5128

) Cleveland, OH 44114  
) April 28, 2005

**AMENDMENT D**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Office Action of January 31, 2005.

Amendments to the claims are reflected in the listing of claims which  
begins on page 2.

Remarks begin on page 14.

Certificate of Mailing

I certify that this **Amendment D** in connection with Ser. No. 09/978,599 is being  
☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to:  
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|                |
|----------------|
| Date           |
| April 28, 2005 |

|                         |
|-------------------------|
| Signature               |
| <i>Hilary M McNulty</i> |
| Printed Name            |
| Hilary M. McNULTY       |